

## **REMARKS**

By this amendment, claims 1-26 are amended. Currently, claims 1-52 are pending in the application, of which claims 27-52 are withdrawn from further consideration. Accordingly, claims 1-26 are currently active in this application, of which claims 1 and 14 are independent.

Applicant respectfully submits that the above amendments do not add new matter to the application and are fully supported by the specification. In view of the above Amendments and the following Remarks, Applicant respectfully requests reconsideration and withdrawal of the objections and rejections for the reasons discussed below.

### **Allowable Claims**

Applicant appreciates the indication that claims 10 and 23 contain allowable subject matter. While Applicant agrees these claims are patentable over the cited references, Applicant does not agree that patentability resides in each feature exactly as expressed in the claims, nor that each feature is required for patentability of each claim.

### **Objection to the Claims**

Claims 9, 16, 17, 19 and 22 were objected to for several informalities. This objection is respectfully traversed because, in this response, claims 9, 16, 17, 19 and 22

are amended to correct the informalities therein. Accordingly, Applicant respectfully requests withdrawal of the objection to claims 9, 16, 17, 19 and 22.

These amendments are not made for the purpose of avoiding prior art or narrowing the claimed invention, and no change in claim scope is intended. Therefore, Applicant does not intend to relinquish any subject matter by these amendments.

### **Rejection of Claims under 35 U.S.C. §102**

Claims 1, 4-8, 11-14, 17-21 and 24-26 stand rejected under 35 U.S.C. §102 as being anticipated by U. S. Patent No. 6,507,385 issued to Nishiyama, et al. ("Nishiyama"). Applicant respectfully traverses this rejection for at least the following reasons.

With respect to claims 1, 4-8 and 11-13, independent claim 1 recites "wherein compression ratios of the spacers gradually increase as advancing from a center to an edge of the display region." An example of this claimed feature is described in page 11, lines 13-18 of the specification.

In this regard, the Examiner stated that Nishiyama discloses, in Fig. 6(a), "a plurality of spacers 3 ... having a gradually increasing compression ratio in a direction from a center of the display region to an edge of the display region, ..." (Office Action, page 4). This assertion is respectfully disagreed with.

Nishiyama discloses forming spacers having elasticity and constantly maintaining an internal pressure of the liquid crystal layer 4 sealed between the substrates 1 and 2 at 1 atm with a temperature change. Thus, Nishiyama is not directed to increasing

compression ratios of the spacers as advancing from the center to the edge of the display region.

Hence, Nishiyama fails to disclose or suggest "wherein compression ratios of the spacers gradually increase as advancing from a center to an edge of the display region", as recited in claim 1. This is further evidenced by the fact that the Examiner was not able to point out which portion of the specification discloses or suggests this claimed feature. If the Examiner wishes to maintain this position, the Examiner is respectfully requested to clearly explain how Nishiyama discloses this claimed feature in the next action.

For this reason, it is submitted that claim 1 is patentable over Nishiyama. Claims 4-8 and 11-13 are dependent from claim 1, and hence would be also patentable at least for the same reasons.

With respect to claims 14, 17-21 and 24-26, independent claim 14 recites "wherein compression ratios of the spacers gradually increase as advancing from a center to an edge of the display region." As mentioned above, Nishiyama fails to disclose or suggest this claimed feature. Thus, it is submitted that claim 14 is patentable over Nishiyama. Claims 17-21 and 24-26 are dependent from claim 14 and hence would be also patentable at least for the same reasons.

Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. §102 rejection of claims 1, 4-8, 11-14, 17-21 and 24-26.

### **Rejection of Claims under 35 U.S.C. §103**

Claims 2, 3, 9, 15, 16 and 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Nishiyama in view of U. S. Patent No. 6,275,280 issued to Kajita, et al. ("Kajita"). Applicant respectfully traverses this rejection for at least the following reasons.

Claims 2, 3 and 9 are dependent from claim 1, and claims 15, 16 and 22 are dependent from claim 14. As mentioned above, claims 1 and 14 are believed to be patentable over Nishiyama because, for example, Nishiyama fails to disclose or suggest the concept of increasing compression ratios of the spacers as advancing from the center to the edge of the display region.

Kajita discloses a conventional LCD structure. However, Kajita also does not disclose or suggest the concept of increasing compression ratios of the spacers as advancing from the center to the edge of the display region. Since none of the cited references disclose or suggest this claimed feature, it is submitted that claims 1 and 14 are patentable over them. Dependent claims 2, 3, 9, 15, 16 and 22 would be also patentable at least for the same reason.

Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. §103(a) rejection of claims 2, 3, 9, 15, 16 and 22.

### **Other Matters**

In this response, claims 1-26 are amended solely for the purposes of informality correction, better wording and clarification. These amendments are not made for the purpose of avoiding prior art or narrowing the claimed invention, and no change in claim

scope is intended. Therefore, Applicant does not intend to relinquish any subject matter by these amendments.


## Conclusion

Applicant believes that a full and complete response has been made to the Office Action and respectfully submits that all of the stated objections and grounds for rejection have been overcome or rendered moot. Accordingly, Applicant respectfully submits that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicant's undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully Submitted,

  
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